



**CITY OF BURLINGTON**  
**Council Minutes of the Common Council**  
**Robert Miller, Mayor**  
**Diahnn C. Halbach, City Clerk**  
**Tuesday, August 18, 2015**

**1. Call To Order – Roll Call**

Mayor Robert Miller called the meeting to order at 6:59 p.m. starting with roll call. Aldermen present: John Ekes, Ed Johnson, Bob Grandi, Ruth Dawidziak, Tom Vos, Jon Schultz, Tom Preusker, and Todd Bauman.

Also present: City Administrator Carina Walters, Treasurer Steven DeQuaker, Fire Chief Perry Howard, City Attorney John Bjelajac, Public Works Supervisor Dan Jensen, Library Director Gayle Falk, Building Inspector Gregory Guidry, and Tom Foht of Kapur & Associates.

**2. Pledge of Allegiance**

**3. Citizen Comments**

There were no comments.

**4. Chamber of Commerce Representative and Rescue Squad Representative**

Mellisa Frost, representative for the Chamber of Commerce, announced four upcoming events and/or activities sponsored by the Chamber: a Welcome Lunch on August 19; the Chamber will have a booth at the Walworth County Fair; a Legislative Breakfast at 7 am on September 14 at Gateway, 496 McCanna Parkway; and the annual Chocolate City Golf tournament on September 15 at Hawk's View Golf Course.

**5. Approval of the July 21, 2015 Common Council Minutes**

A motion was made by Dawidziak with a second by Johnson to approve the Council Minutes from July 21, 2015.

With all in favor, the motion to approve the minutes was carried.

**6. Letters and Communications**

None

**7. Reports by Aldermanic Representatives and Department Heads**

Dawidziak stated the annual Community Block Party planning is coming along well and there has been an overwhelming response of business sponsors for the event. She further stated the event should be paid entirely from pledges and all monetary funds collected at the event will go back to the service groups that participate that day.

Vos questioned what kind of obligation the city has to pay the \$25,000 invoice for the roof repair on the airport building, as discussed at the Committee of the Whole meeting that night, and who gave approval to spend the funds. Mayor Miller stated there is a purchase policy in place that the Airport Manager was not aware of at the time. This has since been corrected. Vos further stated he felt the City “was took”, especially without having other bids or competition. Preusker question if other projects have come before the Council after they have gone over budget. Bjelajac responded that this was a case of error and has never seen this occur before since he has worked with the city.

Johnson questioned if there is an ordinance requiring homes and businesses to display an address number, as he has seen many buildings without numbers. Bjelajac stated there is and the building inspector would enforce that ordinance. Mayor Miller stated staff would research the requirements of the ordinance and look into solutions.

Schultz announced that a member of the audience from Troop #236 was in attendance. Will Nazarkewich introduced himself and told the Council he was working towards earning a communication badge.

Walters stated this year’s Citizen Budget Partners session started on August 13 and was very well received. She further stated the Director of Public Works job advertisement has been posted and the interviews/assessment center will be at the end of October.

**8. Reports 1-4**

A motion was made by Vos with a second by Bauman approve Reports 1-4. With all in favor, the motion carried.

**9. Payment of Vouchers**

A motion was made by Schultz with a second by Ekes to approve vouchers, pre-paids and reimbursements in the amount of \$709,195.14.

Roll Call Aye: Ekes, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker, and Bauman. Nay: None. Motion carried 8-0.

**10. Licenses and Permits**

Preusker made a motion with a second by Johnson to approve all licenses and permits. With all in favor the motion carried.

**11. Appointments and Nominations**

There were no Appointments and Nominations.

**12. Public Hearings**

None

**13. Resolutions**

**A. Resolution 4743(17)** to appoint the City Administrator or their designee as the Authorized Representative to file applications for the State of WI Environmental Improvement Fund.

A motion was made by Ekes with a second by Dawidziak to adopt Resolution 4743(17).  
Roll Call Aye: Ekes, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker, and Bauman.  
Nay: None. Motion carried 8-0.

#### **14. Ordinances**

- A. Ordinance 1995(1)** to amend Section 265-4, “Permitted Yard Waste Disposal”, in the City of Burlington Municipal Code regarding brush collection and leaf pick up.

Grandi questioned what a resident is supposed to do if a situation, such as a storm, occurs during a week when there is not pick up since resident’s are only allow to leave brush out for three days. Dan Jensen responded that the resident can either take the brush to the compost site or call Public Works to discuss solutions. Walters stated staff will put an article in the next newsletter to educate the public.

A motion was made by Ekes with a second by Dawiziak to adopt Resolution 4743(17).  
Roll Call Aye: Ekes, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker, and Bauman.  
Nay: None. Motion carried 8-0.

#### **15. Motions**

- A. Motion 15-812** to approve the 2014 Annual Audit.

A motion was made by Ekes with a second by Johnson to adopt Motion 15-812.  
Roll Call Aye: Ekes, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker, and Bauman.  
Nay: None. Motion carried 8-0.

- B. Motion 15-813** to approve an airport hangar lease with Burlington Aero Group at 712 Airport Drive (formerly 948 Bravo Taxiway) at the Burlington Municipal Airport.

A motion was made by Ekes with a second by Johnson to adopt Motion 15-813.  
Roll Call Aye: Ekes, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker, and Bauman.  
Nay: None. Motion carried 8-0.

Alderman Schultz recused himself at 7:16 pm

- C. Motion 15-814** to consider approving a Certificate of Appropriateness in the HPC Overlay District for 413 & 425 N. Pine Street.

A motion was made by Ekes with a second by Grandi to adopt Motion 15-814.  
Roll Call Aye: Ekes, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker, and Bauman.  
Nay: None. Motion carried 8-0.

Alderman Schultz rejoined the meeting at 7:17 pm

At this time, Attorney Bjelajac stated he was under the impression Resolution 4742(16), “A Resolution to consider approving an agreement between the City of Burlington and James B. Ratchek for the exchange of property located at 400 S. Pine Street” was on the Council agenda for consideration. He further stated he understands Mr. Ratchek has a buyer for the property and

the pending sale would need approval of this item to complete the transaction. Bjelajac stated the Council could move to suspend the rules, per Section 50-22, by two-thirds vote, and place Resolution 4742(16) on the agenda for a vote.

Preusker inquired about the rule and questioned if there would be any issues due to the rule of providing at least 24 hour notice to the public with an agenda. Bjelajac stated he was confident there would be no issues, especially since public notice of this item was given for the Committee of the Whole meeting held the same evening before the Common Council meeting, and this item was discussed at that Committee of the Whole meeting. Bjelajac further recommended the Council could chose to wait until the September 1 meeting to place this item on the agenda, if they chose. Preusker stated he was concerned the resolution wasn't on the Council agenda and given proper public notice. Schultz inquired if the suspension is with our ordinance or if it is a state statute. Bjelajac stated as the item was on the Committee of the Whole meeting that night, the Council has the right to accelerate movement on the agenda through a suspension of the rules allowed under the city ordinance. Vos stated he felt was a non-issue as the discussion with Mr. Ratchek occurred a long time ago and is not a new issue.

A motion was made by Vos with a second by Dawidziak to adopt suspend the rules per Section 50-22 of the Municipal Code and place Resolution 4742(16) on the August 18, 2015 Common Council agenda for consideration and vote.

Roll Call Aye: Ekes, Johnson, Grandi, Dawidziak, Vos, Schultz, and Bauman. Nay: Preusker. Motion carried 7-1.

**Resolution 4742(16)** to approve an agreement between the City of Burlington and James B. Ratchek for the exchange of property located at 400 S. Pine Street.

A motion was made by Vos with a second by Ekes to adopt Resolution 4742(16).

Roll Call Aye: Ekes, Johnson, Grandi, Dawidziak, Vos, Schultz, and Bauman. Nay: None. Abstained: Preusker. Motion carried 7-1.

## **16. Adjourn**

A motion was made by Bauman with a second by Preusker to adjourn the meeting. With all in favor, the meeting adjourned at 7:25 p.m.

Meeting Minutes Respectfully Submitted by:

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Megan E. Watkins  
Director of Administrative Services